



STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION

Chris Christie  
*Governor*  
Kim Guadagno  
*Lt. Governor*

Robert M. Czech  
*Chair/Chief Executive Officer*

**SUPPLEMENTAL AGENDA OF REGULAR MEETING OF  
THE CIVIL SERVICE COMMISSION  
MAY 2, 2012**

**Robert M. Czech, Chairperson**  
**Robert E. Brenner**  
**Thomas J. Perna**  
**Richard E. Williams**

**SECTION A – HEARING MATTERS**

**A-18 SETTLEMENTS**

In the Matter of Charles Robinson  
Hudson County Department of Engineering and Planning  
Suspensions (2) and Removal

**ACTION:**

**SECTION B – MISCELLANEOUS MATTERS**

**B-52 ROSEMARY AKPARANTA**

Rosemary Akparanta appeals the decision of the Division of State and Local Operations which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9999K), Department of Corrections, eligible list on the basis of falsification of her employment application.

**ACTION:**

**B-53 TIFFANY LINDSEY**

The Executive Director of Administration, Civil Service Commission, on behalf of Tiffany Lindsey, requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit Ms. Lindsey to participate in the Donated Leave Program without having completed at least one year of continuous State service and to allow her to receive donated leave time on a retroactive basis.

**ACTION:**

**B-54 ROBERTO TELLEZ**

The Township of Millburn, on behalf of Roberto Tellez, requests that he be permitted to participate in the intergovernmental transfer program and to complete the remainder of his working test period as a Police Officer with Millburn.

**ACTION:**

**B-55 ANNA MARIE CLARK, ET AL.**

The appeals of Anna Marie Clark, and Lugene Sherman, former Senior Clerk Typists, Gwendolyn Bethea, a former Clerk Typist, and Sheila Everett, a former Supervising Clerk Typist, with the Newark Housing Authority, of their layoffs, effective October 19, 2009, were heard by Administrative Law Judge JoAnn Lasala Candido (ALJ), who rendered her initial decision on February 17, 2012. At its meeting on April 18, 2012, the Civil Service Commission (Commission) adopted the ALJ's recommendation to reverse the layoffs. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed decision is now submitted for the Commission's review.

**ACTION:****B-56 NICHOLAS KRAMER**

The appeal of Nicholas Kramer, a Police Officer with Jersey City, of his 159-day suspension, on charges, was heard by Administrative Law Judge Leslie Z. Celentano (ALJ), who rendered her initial decision on February 21, 2012. At its meeting on April 18, 2012, the Civil Service Commission (Commission), adopted the ALJ's recommendation to modify the suspension to a leave of absence without pay. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed final decision is now submitted for the Commission's review.

**ACTION:****B-57 KENNETH MCDUGAL**

The appeal of Kenneth McDougal, a Police Officer with the City of Orange, of his resignation not in good standing effective January 15, 2011, on charges, was heard by Administrative Law Judge Margaret M. Monaco (ALJ), who rendered her initial decision on March 13, 2012. At its meeting on April 18, 2012, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to reverse the appellant's resignation not in good standing. Rather, the Commission modified the appellant's resignation not in good standing to a six working day suspension. The proposed decision is now submitted for the Commission's review.

**ACTION:**

**B-58 MICHAEL ROBINSON, JR.**

The appeal of Michael Robinson, Jr., a Human Services Assistant with Woodbine Developmental Center, Department of Human Services, of his removal, effective May 9, 2010, on charges, was heard by Administrative Law Judge W. Todd Miller, (ALJ), who rendered his initial decision on March 13, 2012. At its meeting on April 18, 2012, the Civil Service Commission (Commission) adopted the ALJ's recommendation to grant the appointing authority's motion for summary decision and uphold the removal. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed final decision is now submitted for the Commission's review.

**ACTION:****B-59 JOSE VALENTIN**

The appeal of Jose Valentin, Senior Correction Officer with the Adult Diagnostic and Treatment Center, Department of Corrections, of his removal effective March 9, 2011, on charges, was heard by Administrative Law Judge Imre Karaszegi, Jr., (ALJ), who rendered his initial decision on March 8, 2012. At its meeting on April 18, 2012, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the removal to a six-month suspension. Rather, the Commission upheld the removal. The proposed final decision is now submitted for the Commission's review.

**ACTION:****B-60 STEVEN COLTRE, ET AL.**

The City of Trenton Fire and Emergency Services and the Fireman's Mutual Benevolent Association Local #206 (FMBA), request that Steven Coltre, Jerome Friedman, Kalamn Gyoffry, Michael Hubsher, Michael Kennedy, Jeffrey Korchick, Ron Kosztyu, Anthony Moran, Carlos Otero, Anthony Ross, James Scott, Frank Seidl, Augustine Tackacs and Clifford Willever receive retroactive or revised dates of appointment pursuant to a Superior Court Order and a Memorandum of Agreement. In addition, Coltre and Tackas appeal the determinations of the Division of Selection Services which found that they lacked one year of continuous permanent service as a Battalion Fire Chief and Fire Captain respectively as of the closing date for the promotional examinations for Deputy Fire Chief (PM1257N) and Battalion Fire Chief (PM0155P).

**ACTION:**

**B-61 BRIAN WILDRICK**

Brian Wildrick, a former County Correction Officer with Monmouth County, represented by Charles F. Clark, Jr., Esq., appeals his resignation in good standing.

**ACTION:****B-62 PROPOSED REPEAL: N.J.A.C. 4A:6-1.2(l), (m) and (n) and RELATED APPENDICES A THROUGH E, PAID LEAVE BANK PROGRAM**

Submitted for the Commission's approval is a Notice of Proposal of the repeal of N.J.A.C. 4A:6-1.21(l), (m) and (n) and related appendices A through E, paid leave bank program. These provisions are recommended for repeal as a result of the recent Superior Court, Appellate Division, decision in *Communications Workers of America, AFL-CIO, et al. v. New Jersey Civil Service Commission*, Docket No. A-1110-10T3 (January 18, 2012), which reversed the Commission's adoption of the paid leave bank amendments to the vacation leave rule at N.J.A.C. 4A:6-1.2. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

**ACTION:****B-63 PAID LEAVE BANK DAYS**

In *Communications Workers of America v. New Jersey Civil Service Commission*, Docket No. A-1110-10T3 (App. Div. January 18, 2012), the Appellate Division, Superior Court of New Jersey, reversed the adoption of N.J.A.C. 4A:6-1.2(l) and remanded to the Civil Service Commission to consider whether the creation of Paid Leave Bank (PLB) days in various Memoranda of Agreements between the State and the Communications Workers of America, Local 195 of the International Federation of Professional and Technical Engineers, Local 518 of the New Jersey State Motor Vehicle Employees Union, and the American Federation of State, County, and Municipal Employees was contrary to existing law and, in the event the Commission concludes that Legislative action is not necessary, whether other provisions of Title 11A (Civil Service Act) and Title 4A permit the adoption of a regulation that mirrors the provisions of the MOAs.

**ACTION:**